

**PLANNING BOARD MEETING
FEB. 23, 2015 at 7:00 P.M.
Amesbury City Hall Auditorium
62 Friend Street, Amesbury, Ma.
Meeting was called to order at 7:08 P.M.**

Present: Robert Laplante, David Frick, Scott Mandeville, Lars Johannessen, Karen Solstad, Ted Semesnyei.

Absent: Howard Dalton

Also Present: Nipun Jain, City Planner, Paul Bibaud, Recording Secretary.

MINUTES: Feb. 3, 2015: Motion by Robert Laplante to approve minutes as submitted. Motion was seconded by Karen Solstad. AIF

FORM A APPLICATIONS: Shea Concrete Products, 87 Haverhill Road, c/o Brian Murray, Engineer

Brian Murray: The A+R plan submitted is a lot line elimination plan. This is some housekeeping work that needs to be done. For work that the site plan is based on. We can't have this building occupying two lots. This lot pre-dates zoning and was for the original house that stood there. It serves no use now. It needs to be all an industrial zone to better serve the city, as opposed to a grandfathered residential lot within the area.

Motion was made by Lars Johannessen to approve this Plan A. Motion was seconded by Robert Laplante. AIF.

SIGN APPLICATIONS:

Blue Wave – Fine Art Gallery, 52 Main Street, Asia Scudder

PLB Chair recuses himself from this hearing, as he does business with them.

Nipun Jain: The sign committee recommended approval of this sign.

Motion was made by Scott Mandeville to approve the sign pending final review by signmaker and see a picture of it. Motion was seconded by Lars Johannessen. AIF.

Geo's Roast Beef and Pizzeria, 143 Elm Street, Robert Thompson

Bob Thompson, Jim Did It Signs and Awnings, Woburn: We're proposing to install an awning across the front of 133 Elm Street, with lettering for GEO'S script in green, with the awning being in gray. With the square footage for the awning being two foot high by three foot six, which approximates the double faced free standing sign that was previously there for Capaccio's. Since this is in a residential zone, we're trying to keep the square footage comparable. For the windows, we propose gold lettering with a black outline for "delivery-Roast Beef / Pizza, and a phone number across the top portion of the windows in 5 inch high letters, similar to what has been there, using that as a model.

Lars Johannessen: As I recall, the signs across the windows were never approved by the Board. Only the hanging sign was approved.

David Frick: Have you met with the sign committee?

Bob Thompson: No, just with Nipun several times.

Scott Mandeville: The existing hanging sign would be fine, if it was replaced in kind, keeping that size. But the graphics along the face of the building were not approved and also exceed the available square footage for the building. I think we need to keep it to the one sign. In the residential district, you are only allowed the one sign.

Nipun Jain: We discussed and offered that the 7.5 square feet that was there for the previous sign is something the PLB may consider as a replacement, whether it be a projecting sign or the awning, but not both. The business owner liked the awning as opposed to a projecting sign.

Scott Mandeville: If you do the awning, it is a new sign and you'd be subjecting it to your frontage of two square feet.

Nipun Jain: I think the awning alone would be possible because of the similar square footage, even though technically, that would be a different sign and a variance. But we're flexible enough to say if that is what the applicant wishes to move forward with, that is the most that they can do. By the rules, you can only do a projecting sign of 7.5 square feet, because that is what the non-conforming property is allowed. If you wish to change the sign type, or change the square footage, you'd have to apply for the variance.

Karen Solstad: I think we have to stick to the hanging sign or the awning of only two square feet to comply with the sign regulations.

Robert Laplante: I'd like to make a motion that the applicant/signmaker meet with the DRC or the sign committee and Nipun Jain on this to meet the intent of the ordinance.

Bob Thompson: So if we did the projecting sign of 7 square feet, would that be acceptable?

Lars Johannessen: Yes, but the PLB needs to see the design of the projecting sign.

Robert Laplante's motion was seconded Karen Solstad. Vote was AIF.

CONTINUED PUBLIC HEARING:

Hunt Road Solar, LLC, 56 South Hunt Road, Application for Site Plan Approval Staff Draft letter for approval, PH 12/8/14 KS,HD,TS,LJ,RL,DF

Nipun Jain: At the last meeting, staff had presented recommended conditions of approval for the said project. We have a draft decision before you endorsement. It has been expanded to include the findings, to illustrate that the project complies with performance standards, and based on recommendations and advice of PLB discussion, a few things were added at the end of the set of conditions, main points being: one waiver requested from the performance standards was doing extensive landscaping or to provide additional landscaping in lieu of visual impacts to abutting properties. Case in point, there is an existing tree line beyond the limit of work which provides a visual buffer for abutting properties. The condition states that the existing vegetation cover shall be maintained so that the buffer between adjoining properties in the facility is maintained as well. The applicant did not propose any additional signage or advertising for the facility and that is stated as well that no signage or advertising is allowed unless the applicant requests in the future in writing. The PLB will retain the services of an inspectional engineer and wetlands scientist to ensure that the project is constructed as per approved site plan. Any repairs or clean up to public ways due to construction equipment would

have to be fixed per DPW regulations. A final as-built plan will be provided once the site is completed to ensure the project was done as per approved plans. All other conditions remain the same.

Motion was made by Karen Solstad to approve the proposed PLB decision for the Hunt Road Solar LLC facility. Motion was seconded by Robert Laplante. AIF.

Motion by Scott Mandeville to close the public hearing on this item. Motion was seconded by Lars Johannessen. AIF.

CONTINUED PUBLIC HEARING:

E.F. Shea Concrete Products, 87 + 89 Haverhill Rd., Site Plan / Special Permit, Map 74, Lots 8,7,9: PH 10/27/14 (KS, SM, HD,TS,LJ, RL)

Nipun Jain: At the last public hearing, the PLB heard a presentation on the proposal and between that time and now, the project has been reviewed by the PLB peer review consultant, and they have signed off on the storm water report and design. The city has also completed its review of the proposal. We had a few housekeeping items to bring to the board's attention: the setbacks to the proposed new office building need to be documented on the plan. There is a structure shown on the existing conditions plan that is within the front yard setback. Possibly it is a display unit, but for the PLB to endorse a plan, that structure should be relocated, so it may be just a housekeeping matter on the property owner's side. There was one aspect with regards to the storm water where there is a rain garden proposed, which requires certain plants to be incorporated into the storm water DMP. The comment from the city engineer was to ensure that the soil type and plant species are appropriate to ensure resilience of the plant material to effectively work as a storm water DMP. We'll ask our BSC peer reviewer to ensure that the plant type material and the soil type are appropriate. Re: design and performance standards, there was one issue with regards to retaining walls. There are 3 different heights for retaining walls in the project: a 2-3 foot wall along the front, a 6 -8 foot wall on either side of the parking lot, given the topographical changes. The PLB had indicated they would like to see cross sectional details and elevations of that retaining wall. We asked that of the applicant. They are planning on using Shea Concrete block material for retaining walls, but the board wants to see elevations, so we passed that along to them. The building design was reviewed, the conceptual drawings were reviewed during pre-application conference by the DRC. They have since revised the elevations to incorporate the comments by the DRC, which were submitted in the last supplemental to the PLB. They have requested two waivers from the performance standards: one is a bituminous asphalt sidewalk as shown on the plan. The performance standards requires concrete sidewalk. The second waiver is to the granite curbing: instead of granite curbing they wish to use concrete. Those are the only remaining issues needing to be addressed by PLB.

Brian Murray, Millenium Engineering: The structure within the setbacks is a portable shed, a display item that they use. We'll have that moved out of there. I can provide a statement or show it on a plan to be removed, whatever works for PLB. Re: the plants, we believe they are in compliance to the soil types that will be on the site. We can prepare the cross section and details on the retaining wall and get that to you. We're all set on the building, just formalities that go through the PLB on that. As far as review, we

had a robust review in the preliminary review application phase, with many changes being made to the design on it...all good changes to it. We'll prepare this information and get it to you ASAP. We hope to close out the project with a vote very soon.

Scott Mandeville: I think we should have concrete sidewalks, not bituminous. They hold up better.

The general manager of Shea concrete, **Greg Stratus**, assured the sidewalks will be concrete. He has no idea where the asphalt sidewalk idea came from. Concrete only.

Motion was made by Scott Mandeville to continue to the 3-9-15 meeting, and have staff draft an approval letter for PLB. Motion was seconded by Karen Solstad. Vote was unanimous.

CONTINUED PUBLIC HEARING:

**HATTERS SITE DEVELOPMENT PLAN, PHASE II, 60 MERRIMAC ST.,
PH: 11 / 10 / 14 (SM,KS,HD,TS,DF,LJ)**

PLB member Robert Laplante recuses himself, as a resident of Hatters Point.

Larry Smith, managing director of Hatters Point LLC, in charge of building Hatters

Point Phase II: Since we were here last, Nipun hosted a technical review committee meeting with DPW, fire and police, and we also met with the PLB design subcommittee. We believe we answered all questions in the technical review, as well as questions posed by PLB a few weeks ago, so our team of architect, site engineer, and legal and Scott David from Hatters Point Phase I is here and can answer any questions you might have at this time.

Nipun Jain: After the technical review meeting, one aspect that the city engineer wanted to bring to your attention is, the applicant is still verifying the base line conditions for the water line along Merrimack Street, and that information is being put together by your team. So keep in mind that once that base line existing infrastructure report is prepared, it might lead to some changes to the proposed utility plans for water service and fire protection. City engineer wanted to make that clear. Also, the applicant has filed with ConCom for their permits as required, and the wetlands and flood plain special permit that has been applied before the PLB, if the board moves to approve, can be approved conditionally on any recommendations that are made by ConCom. We also discussed the retaining wall, the design is being looked at, it is a sheet pile retaining wall. We discussed whether the design will need any temporary easement, permanent easements, doing their due diligence and waiting for the permit approvals to move to the next phase, where it is more construction design related. Once they have approval, they can firm up if the civil design of that wall would require any temporary or permanent construction easements. At this time, they do not believe on the preliminary analysis that any easement would be needed, and that their conceptual design would be sufficient to move forward to more detailed design.

Larry Smith: Correct. We'd like the decision to be based on relative to the sheet piling to be based on a final design, and the final design has to be acceptable before we get our building permit.

Ken File, our architect from J.D. LaGrasse and Associates in Andover, MA: From the design review committee, some primary changes were at the top of each of the recessed panels was to incorporate an arch between the piers. On the end elevation, we

added an additional pier. On the stair tower, we added additional windows, in the elevator lobby. On the stair towers, we added blank recessed brick faux windows. Then we added the faux windows on that side and arches there as well. We also revised the entrance arches. There are brick piers on either side of the entryway. They are approx. 9 feet tall and about 3 foot by 3 foot with brick recessed bands in it as well, with two pre-cast panels that would house the name and address of the property. On the back where the porches are, we provided an enlarged elevation. Noting the materials of brick piers, with a stone path, and a stucco finish on the back, similar to Phase I, matching the same materials to show continuity.

Chris Rokos from Meridien Associates: The curb cuts had a lot to do with the fire dept.'s feedback from the technical review meetings. This 8 ½ by 11 included in your packets from Dec. 31 shows the fire truck entering and exiting the site. That is the reasoning for the width at the right-of-way line as 48 feet. It is a WB50 which is the standard length of a fire truck. Based on the truck movements, you need that sized width on the roadway. The road into the site is 24 feet wide, so if we carried that out right out to the street, it would be 24 feet, but there would be no radius return, so to have it 24 feet, you'd have to come out straight to the road and have no radius returns, which isn't practical. So to be able to let the fire truck move, we needed that 30 foot radius, thus making it 48 feet at the right of way line. This is for the ladder truck.

Nipun Jain: In the past, you only had the ability to go up to 28 feet in extreme cases. Otherwise, all other projects you had to ask the applicant to either redesign or seek a variance. The fire dept can weigh in on this and provide justification for that. I don't know how the board wants to proceed with that. The chief at one of the technical review meetings specifically asked could we get our fire engine into the facility? The impetus on that design was solely based on the chief's input, then our submittal of that document.

David Frick: Maybe we need to verify this with the chief, then maybe they have to get a variance, since we can't allow a 48 foot without a variance.

Scott Mandeville: I think we often take fire dept. recommendation on sizes, clearances, access, things like that. The Hunt Road Solar, the fire dept. made a request to change the access. It didn't necessarily go against any zoning requirements, but that was their request to change the access.

Nipun Jain: The only other way that the board has dealt with this is that you create an island that the truck drives over, so technically you're not waiving the requirements, you are creating two driveways that are 24 feet wide. That's how the PLB has handled it in the past. You meet the performance standard and still allow the emergency vehicle to access.

Jack McIlhenny, attorney for the developer: I think we'd like to come back with a couple ideas on that. I have seen in other cities where you'd have a paved width of 26 or 28 feet, then you'd have structural gravel for the sides, so it would support the truck, on the rare occasion it needs to get back there. But you don't have excess pavement with all the attended issues associated with that. As Larry said, this is not something that we are pursuing. Let us work with the fire chief and come back with a couple different thoughts.

Nipun Jain: There is another option that Jack has mentioned. You've asked for different material: same intent seeing the paved portion to be 24 feet wide, butt the opening is visually narrowed by using different material types. If you come up with some solutions

of that nature, it would probably meet the intent of your performance standard. The bylaw doesn't state that you can waive it.

Scott Mandeville: If the chief said he wants this, then I suggest it get paved rather than an island or gravel, etc. and suggest they seek a variance for it.

The applicant's team will work on that over the next couple of weeks and come back with some thoughts.

David Frick: One last thing re: the sheet piling and building that wall: one thing that came up was the neighbors and what the pounding was going to do, and how it would be monitored. Has anybody thought about putting a plan together that would be part of this decision to go forward that would outline, as far as maybe going to everybody's home beforehand and look at them, how often it'll be monitored, how we're going to monitor, etc.?

Larry Smith: We have a lot of experience in blast surveys, we've blasted a lot of ledge on a regular basis. Our plan was to incorporate that same type of survey into the sheet piling. I think it is 250-300 feet from the source, but the regulation is you go to each structure that falls within that radius, and you do a survey, sometimes video/ sometimes photographic, and you do your sheet piling pounding, then go back and look at it again. There's an insurance policy and everything else associated with it. So our plan was to incorporate that into the sheet piling final design. We'll give you a write up on that, conditions of approval, etc. I suggest that the PLB consider a condition that, prior to issuance of a building permit, a final design is approved and a protocol for monitoring impacts. We can work out the details of that.

Nipun Jain: If you could develop a protocol in advance of construction and give it to us and for the PLB and DPW be aware of, then it is clear as to what is expected and what happens if there is any impact, either on public infrastructure or adjoining properties.

Karen Solstad: I'm trying to get my head around all the modifications to modifications over time, you create some sort of matrix that shows all the different iterations, changes and modifications that have taken place, it's hard to grasp it all.

Nipun, could you produce a matrix, if you will, showing all the incarnations of all these modifications and changes over the years, up to date?

Nipun Jain: Yes, I can refer you to a document that the applicant prepared, comparing the last modification to the current proposal, which highlights the square footage approved, the stories, the number of units, the parking spaces that was prepared by LaGrasse and Associates. That is one document that may help you see the difference in a tabular form. Could I spend some time with you to go over those? Is that easier?

Scott Mandeville: Nipun, would it be appropriate to put that document together and to draft up something for the board to act on, so we can go item by item, making sure we're all content?

Nipun Jain: Are you talking about a set of recommendations for approval? (Scott=yes). I can work on that, but I was responding to Karen's question about sequence of modifications.

Scott Mandeville: I was just thinking that that seems like the kind of information that should be in a recommendation for approval, so we can all take a look at what we've got, so we can take action on this.

Nipun Jain: I will try to get to that.

Karen Solstad: My biggest problem with the project remains the added height of the buildings and the shadows they create to block sunlight from neighboring properties in a very negative way.

Larry Smith: We supplied the shadow studies that you requested, and they can be looked at by you. Worst case scenario, it adds seven feet to the 2008 approved building.

ABUTTER: David Grover, directly across the street at 53 Merrimack Street: The shadow study that he is referring to, as of right now, I get sun from sun up to sun down on my house. With the proposed plan, I would not get sun on my house until almost noon. That is a big difference.

Scott Mandeville: I'm curious as to what we should do? We've looked at shadow studies, we've gone back and forth on and discussed, the issue has been raised, it is a concern, definitely, but somehow a decision needs to be made. We keep bringing it up, you guys speak to it, we keep hearing concerns from abutters, but we've gone around and around on this multiple times. We need to make some sort of decision as to what is happening with it. Is that appropriate for PLB to make a motion on for approving or not approving the height, or what? But it's been floating around here ambiguously and nobody has made a concise decision on it across the board. It is clearly a concern. The applicant wants the building to stay as planned and abutters hope that it gets lowered. Someone needs to make a hard decision.

Larry Smith: Besides doing shadow studies, we've done a study on why the building height is what it is. Financially, it is not viable to build this in less than 45 units. We've been through that before. So lowering the height is not an option. We did talk to many abutters and came up with an agreement with them. We also included the fence you suggested a few meetings ago to deflect headlights from shining on houses.

Motion was made by Lars Johannessen to continue to the Mar. 9 meeting. Motion was seconded by Scott Mandeville. Vote was unanimous (five votes tallied).

CONTINUED PUBLIC HEARING:

**HATTERS SPECIAL PERMITS (3), PHASE II, 60 MERRIMAC STREET
APPLICATION FOR SPECIAL PERMITS (3) AS STATED IN LETTER DATED
11/07/14 ITEMS (i) through vii - PH: 12/08/14 - (KS,HD,TS,DF,LJ
Also continued to the March 9 meeting.**

CONTINUED PUBLIC HEARING:

**AMESBURY HEIGHTS, 40R, 36 HAVERHILL ROAD, MAP 86, LOTS 25 + 47
PH 12/08/14 (KS,HD,TS,LJ,RL,DF)**

Sean MacReynolds, Corcoran – Jennison, representing the applicant: Here tonight as a follow up from our previous hearing. We've been working with the city as well as planning department on updating our traffic study, which validated the existing study. We had a technical review meeting before the year end, which we've been working with the fire dept on the emergency access road on getting proper width, and just met with the Design Review Committee. We're here tonight to introduce some elements from the design subcommittee in regards to breaking up the façade, more of a monolithic tones, introducing some new color schemes, researched the Woodman Way project in

Newburyport, so I wanted to show you what we're looking to propose. It is a work in progress with PLB. We also wanted to highlight for PLB the traffic improvements that the prior applicant (Boston North Properties) has committed to, and that we're prepared to continue with these improvements on the intersection of routes 110 and 150. We ask tonight to allow the Planning dept to do a draft decision working on conditions for approval for the upcoming March 9 meeting. I'd like to give you our updated designs. We are ready to answer any questions or concerns from the PLB as well as the public.

Nipun Jain: The applicant had met with representatives of the board's design subcommittee to go over the proposed design of the housing units. The project had been previously approved, and there was a certain set of architectural drawings that went along with that project. A rendering of the same had been provided to the PLB earlier, however there were some comments that the subcommittee had which were discussed with the applicant. The subcommittee essentially gave the Woodman Way project as a basis to see what they are talking about. There was also the graphic provided by Ted to show how you can break up the façade with different colors, different architectural elements, and so the discussion was more about how these long buildings can be visually more attractive. You have before you are conceptual drawings that incorporate the changes that were discussed. The color version handouts include the building that currently exists on Woodman Way in NBPT. And the second handout is the sample colors for the Certaainted vinyl proposed for use. The colors discussed reflect the changes that have been talked about in general. There is a storm water report that was prepared, with storm water utility plans that have been submitted along with the plan set. The plan set is more up to date, and the storm water report will be updated to make sure it is consistent with the plans. The storm water pollution prevention plan and long term pollution control plan reports will also be updated and provided to PLB for review and approval. The survey plan that records the property and parcel boundaries will be updated and submitted prior to any disturbance on the site, as the applicant agreed to do. Emergency access: the fire dept had asked the applicant to update that to meet current code. A cross sectional detail which was 20 feet wide with 16 feet of pavement was provided to the fire dept and is still being reviewed. The applicant seeks final recommendation from the fire dept. to make sure they are satisfied with emergency access. There were concerns from the city engineer on storm water runoff from the site to North Martin Road, however, based on the proposed plans, it has been indicated that the proposed drainage and gradient plan will prevent more runoff from the development to go onto that site. Everything has been designed to drain in the opposite direction, so that should result in a reduction, while the applicant's engineer can shed more light on that. The mechanical units that are associated with the HVAC system for the buildings are to be located on the ground. I believe there are 48 units of which 16 are being proposed for each building facing the courtyard. Lighting fixtures: the design group wanted cut sheets for that, which the applicant is going to provide. Retaining walls: the question raised by PLB was on the retaining walls that face route 110. The applicant did provide catalogue cut sheets of the modular blocks that they intend to use. The comment was: can you provide more details on the civil, to ensure that the drainage as well as grading is adequate and meets the civil requirements? The applicant will provide that, as long as that is required prior to any site disturbance. They have provided an update on traffic report based on the assessment by their traffic engineer. They have graphics today that they wish to provide to PLB as part of the traffic

improvements being proposed as part of this project. These are offsite improvements that they are working on with MassDOT to satisfy them more than the city. MassDOT has the final say, as 110 is their road. Those are the highlights of where we are and what we've done so far. I'll let the applicant's team talk about the two issues that they wish to discuss tonight.

Sean McReynolds: We recognize that there have been some concerns about the offsite traffic improvements. I want to go on record that we look forward to working with the city and MassDOT on addressing those concerns. We're exploring ways to enhance traffic improvements, but want to work with the city also, besides final sign off by MassDOT. We're looking to get a draft decision with conditions, for March 9 but obviously we want to hear if there are questions / concerns from the PLB. We will landscape and mask as much as possible the condensers for added appeal visually. Also, I know there were concerns wanting a playground area. We identified on the site a place adequate to introduce play area, but it is conceptual and will work with the board on design.

Scott Mandeville: Actually, the location of the playground is right next to a transformer and the garbage pick up. Is there a better place for kids to play?

Sean McReynolds: I'll introduce Conner Nagle, the VHB site engineer. We explored other areas.

Conner Nagle, VHB site civil engineer: We looked around the site, but as you're aware from the plans, there are very significant slopes all around the site and wetland areas, including an intermittent stream relocation. The only large flat spot is right here where we've proposed it. We can't do it in the central courtyard next to the clubhouse, either, because of the bio-retention area and drainage areas there. There is curbside parking and it all drains into this area, due to the slope to that central area. There is no available flat area. The area we designated is 30 by 30 feet.

Scott Mandeville: I'd advise some additional screening like a hedge around the transformer, etc. I don't have any major concerns about it, just the adjacency to the play area.

Nipun Jain: There is still time to shift the transformer a little further away in subsequent plans.

Karen Solstad: Is there any way to connect a pedestrian path that doesn't take that big loop around?

Conner Nagle: It's for ADA reasons that it takes that big loop around. The road is steeper.

Sean McReynolds: We're open to pedestrians using the emergency access, but we didn't want to promote it. It's a steep driveway, which is against ADA regulations, and it doesn't have lighting and through someone else's property at the end, even though we have an easement for emergency access / egress. It is not our primary entrance / exit to the project.

Nipun Jain: In sidewalk discussions, we also discussed bus stop locations for school buses, and to create a place at the proposed entrance for a pull over space for buses, but that is driven by the school department as to what they wish to see and what is the safest possible location. It was brought to the applicant's attention that if they choose a location which is further away from the primary entrance and closer to the North Martin Road, then we'll see what we have to do about pedestrian access on the emergency side. These

are all issues which cannot be finalized without school department input, and which come into play once the project is completed. So at best, it can be made a condition of approval, as far as the location of the school bus stop and in the safest possible location and safest route for pedestrians.

Sean McReynolds: I spoke with our highway engineers today, and we'll follow up with MaDOT, but we'll certainly look at that area on the other side of the driveway, and maybe extending the sidewalk and wrapping it around the corner there at the entrance, to provide us with slower area, if acceptable to MaDOT.

Nipun Jain: That portion of the site will be controlled by the proponent, once the parcel is subdivided. That is my understanding.

David Frick: I don't believe people are going to walk around. I think something needs to be done for this.

Sean McReynolds: We'll look into this.

Nipun Jain: To summarize, based on the few discussions on the pedestrian access issue, the goals were to provide as many points of pedestrian access to the site from the commercial, to provide pedestrian access for school kids and users, and to make the overall site more pedestrian friendly. You know the goals, you know your constraints, you heard some of the options of what the PLB thinks can happen. So provide us with some options.

Couple of house keeping issues: staff recommends: there are legal documents that pertain to the affordable units, regulatory restrictions and otherwise. The city retained legal counsel for review of those documents. Since they have been modified to conform to the current permit requirements, we'd recommend that PLB retain the same legal counsel to ensure that those legal documents are pursuant to state regulations and to cities requirements. Likewise for engineering documents, as well. Some of the documents that I talked about earlier that need to be finalized and submitted for board's review, there are plans that will be finalized as well prior to start of construction. Typically, that is done by your peer reviewer. In this case, the city had already done the peer review and the plans had not changed, so the PLB did not hire a peer reviewer, but we recommend that when the project is moving forward, that the same peer review consultants be retained to advise PLB on the final documents.

Jim Fitzgerald, 5 Hoyt Avenue: We are one of the streets along Merrill, I point it out on this plan entering onto Route 110. I recommend to the PLB, if you have time in the morning or late afternoon, to go on Hoyt Avenue and try to take a left to go towards the intersection and Amesbury. Sometimes it takes a minute to a minute and a half. It is a heavily trafficked road. Within 50 feet of where this road comes in, there will be 250 units, so 250 cars using this main exit, competing with us trying to move onto 110. Also to with where Hoyt Avenue is, there is a hill coming down here, a hill and a curve. Right now, in winter, with snow piles, I literally have to pull out and almost got hit twice today, with the snow. So this hill coming down, we're at the bottom of that hill, on a curve. You're looking to add with this new entrance possibly 250 more vehicles coming down. I ask the board to try this one morning, and see what the 12 houses on our street have to put up with.

Secondly, I understand there's been a traffic study. I'd love to see it. I support the project, but just try to think about the abutters. Also, right at the bottom of Hoyt Avenue, there is a pumping station. I've lived on Hoyt for 25 years. Is that pumping station going to be, I

presume it's a sewer pumping station, are there any plans to upgrade that? What is the capacity for that? Because if that ever backs up, it will back up into all our basements. So with 250 more toilets, 250 more bathtubs, 250 sinks, where is this water going? I can't believe the town planner hasn't thought about these things, but it's been there for 25 years. I don't know if it was built to handle that much extra volume. I ask you look into both those issues. Thank you.

Nipun Jain: Quick response to the sewer thing: they had done a sewer capacity preliminary study. DPW and city engineer had taken a look at that. Conner, can you explain?

Connor Nagle: Yes, we did sewer design calculations, submitted them to DPW, who signed off on the permit application to DEP which was subsequently approved and still valid from the original application.

Nipun Jain: It's called a sewer extension permit, and that is reviewed by the state based on the calculated flow and the capacity of the existing infrastructure. So it is totally within the state's preview again and is reviewed through them in conjunction with DPW. So that has been looked at, and that permit is still valid. It is an approval, but it has certain activities that the proposal has to adhere to.

Bruce Kubik, 4 Hoyt Avenue and been there 30 years: I wanted to talk about the lights on 110 and 150. They just don't reflect the current situation right now, never mind the proposed development coming. And this won't be the end. Other development will happen after this. Mr. Gorman's farm is probably next, and is there commercial development to go into 110 between the utility company and the gas station? What happens to our neighborhood from the traffic lights at 110 and 150, you have traffic that never stops, because you have right on red coming from town, so people avoid the light that way. You also have the ramp coming from 495, avoiding the light there. So the traffic never stops and we never get a chance to get out and get across 110. There is no line of sight. Now you're talking about putting busses at the bottom of this development? I didn't even think of that. Talk about a recipe for disaster. The place where the proposed exit / entrance is planned, just for the fun of it, some of my neighbors got together and we wanted to see what would happen to the traffic back up from the development. We just wanted to see if it would back up past Hoyt Avenue. We found that it reached our street. The back up from the traffic went BEYOND Hoyt Avenue and beyond Merrill Avenue. Now, what you have is, when we try to get out of our street, all the cars entering into the development on top of no line of sight, the oncoming traffic isn't going to see us coming out, we aren't going to be able to see them. This needs to be redesigned. It is bad for the neighborhood, bad for the town. Now you add things that I didn't think of like the busses. If there are problems up in the development, response time would be delayed. The entrance/exit is really not a good design. I think further up the road, where the emergency road is planned, is a better place for it with a much better line of sight and is the spot where it should go. We, the neighbors, when we did this little experiment, we were shocked at what the results were. When we did this, we did it on Sunday morning, not at peak time. At peak time, people are all tense, fighting to get to work on time. We experience this every day. The problems at peak times with traffic backing up, it is not practical. The problems the town will face will be permitted.

David Frick: The biggest problem you people face is trying to turn left out of Hoyt. There should be a sign saying "Do not block intersection".

Bruce Kubik: The people that are heading east can't see us coming out of Hoyt, and we can't see them.

David Frick: The development isn't creating a worse situation for your left hand turn. Regardless, you have a bad situation there.

Bruce Kubik: I have to disagree with you. It will definitely make it worse for us. The cars backed up, you can't see oncoming cars. It's hard now, but with the back up of traffic, you can't see them and they can't see us. How can it not make things much worse?

Nipun Jain: So when you did this exercise with neighbors, the car that was preventing the cars backing up, was it parked there or was someone driving it?

Bruce Kubik: I was driving the van.

Nipun Jain: So you were trying to turn left into an imaginary driveway.

Bruce Kubik: Yes. I was there a couple of minutes, so I drove up, put my signal on, and the cars backed up in an astounding number. I didn't know what the distance was from our street to the entrance / exit. It was only six cars to the entrance / exit. So we're going to have cars backed up in front of Hoyt Avenue always during busy times.

Nipun Jain: When you did this experiment, what were the parameters? Also, what are the issues so that when MaDOT is reviewing improvements to the intersection, are they looking at signal timing, like what they did at Cumberland Farms.

Bruce Kubik: Our intersection lights are designed for as many cars as possible to avoid a red light: the right on red, and the ramp coming up from 495.

Nipun Jain: Current conditions. So the MaDOT is potentially looking at the signal timing. As part of this design, they will also be looking at the signal timing and introduction of those traffic monitoring and moving traffic through the intersection. I'm not saying that will solve the problem, I'm just bringing it to your attention that, besides the improvements in the roadway, itself, MaDOT is the ultimate authority that approves or disapproves any improvements.

Bruce Kubik: MaDOT, for the normal person on the street, to try to get through to them on the telephone is a major task.

Nipun Jain: Oh, I can't get through to them either. But to give you an example of how MaDOT responds to city's concerns, is the Dunkin Donut entrance / exit. When they were doing the widening project on 110, we specifically asked them to not allow any turning lanes for traffic going eastbound into DD. They did not listen to us. There have been many accidents there, and the police have been going to them and saying you cannot do this, you have to change the layout. Point is, even when the city brings these concerns, MaDOT does what they do. In this project, the applicant is going to do what we may ask them to do, but DOT can overturn those if they do not find those as valid issues in their mind.

Bruce Kubik: I would ask the PLB to move the entrance/exit, redesign it or move it up where the emergency exit is. Its common sense that the emergency exit is going to be used as a major thoroughfare, way beyond what is being proposed for it.

Scott Mandeville: Isn't there a reasonable curb on the side there to allow cars to go around someone who is turning left there, or is there just not enough room?

Karen Solstad: Not really, no. The state took away the extra lane that was put in there.

Robert Laplante: The state made it more dangerous by taking away that extra space. Now it is worse and more dangerous.

Mark Leno, 6 Merrill Avenue: I live on one street up from Hoyt Ave. We have a terrible line of sight for the traffic. You have to be a race car driver and time it just right to get out of the street. I'm thinking if traffic backs up and making this left hand turn, it is blocking the line of sight for eastbound traffic, so we can't see the cars, with worse visibility for eastbound cars than Hoyt Ave does.

Motion for the meeting to continue past 9:30 to end no later than 10 PM by Lars Johannessen. Motion was seconded by Scott Mandeville. AIF.

Connor Nagle: This is a graphic of the proposed driveway here through the intersection. The most significant change is the addition of a left turn lane in both directions on Haverhill Road. We should give more options for that to alleviate some of the traffic so that when the lights does turn, more cars can file through, the same in both directions. We're working with DOT right now on this.

David Frick: Do you have any idea of how many cars go each direction every hour of the day through here ?

Connor Nagle: Off the top of my head, no. (inaudible, standing away from microphone).

David Frick: I appreciate all your comments. I think the developer has to work with DOT and the city to try to resolve these traffic issues. From the traffic studies we've gotten, the increased traffic overall is fairly minimal, because it is already a very busy road. But I think the applicant can continue to work with DOT and the city, and will take your comments forward.

Diane Welch, 33 Haverhill Road: I live right on the corner of Hoyt Ave. When they do the traffic assessment, make sure they do it in the summer. All the cars from 495 going to the beach get off in Merrimac and run down 110. There is traffic for hours, on Saturdays and Sundays especially.

Motion was made by Scott Mandeville to continue this hearing to the March 9 meeting.

Nipun Jain: Can I write up something now to give to you for Sean to sign and send it back tomorrow? (yes).

Motion was seconded by Lars Johannessen. Vote was unanimous.

CONTINUED PUBLIC HEARING:

NATIONAL GRID, 39 + 39A WATER STREET, 33 OAKLAND ST., LOT B, SITE PLAN AND (3) SPECIAL PERMITS - PH: 10/27/14 (SM,KS,HD,TS,LJ,RL)

Michael Jammo with National Grid: I had some discussions today with Nipun.

Nipun Jain: I think that the project proponent has provided the information that was asked of them at the technical assistance group meeting in Dec. The technical review portion of the application is complete. They have received ConCom approval, which they received in October, which addresses the issues under the wetlands and flood plain special permit, as long as all activity approved, as per conditions of ConCom are carried out, pursuant to those conditions. Re: earth filling / removal, as explained in their application, there is no change to the existing grades. Contaminated soils will be replaced with clean soil, based on the plan that has been proposed. At this point, city staff has reviewed information provided pertaining to that part of the application. The abutter who

had some objections to the access to the proposed site has also provided a supporting letter, saying they have resolved issues with the proponent. The applicant delivered traffic info for truck traffic patterns and delivery in draft form. They need to be finalized, and those finalized documents will be a condition of approval, then to be presented to city officials for final endorsement. One item we discussed was, there are three properties involved in this project: city owned, Nat Grid owned, and the third is a third party owned property. We just asked that they indemnify the city against any legal action that some other person might take against activity that is being proposed on city owned property. If there are legal documents that need to be crafted, those should be signed up now. That's the staff update.

David Frick: We also had questions about the river walk.

Michael Jammo: Our preference would be to close the river walk the way it is closed now. It's only during winter months that this construction is going to take place. If there is a need to keep it closed in fall or summer time, we'd put up directional signs to reroute people up the parallel side streets during construction.

We believe the staging will take place in late fall, and construction in the winter or 2015/2016.

Motion was made by Ted Semesnyei to ask staff to draft recommendations for approval for this project for the next meeting on March 9. Motion was seconded Karen Solstad. AIF.

ADMINISTRATIVE:

CUMBERLAND FARMS - - staff consolidated punch list

Nipun Jain: I cleaned up Horsley-Witten's recommendations along with what the PLB had discussed here, and put it in a spread sheet saying who is responsible party, when do we expect it to be completed and by whom. The applicant was fully on board with that, including everything from the retaining wall, the fence and the stone wall, etc. So all the landscaping and final grading too. Not only the Horsley-Witten recommendations, but also PLB concerns re: cemetery property line as well. If they needed any construction easements, then they should seek approval from the city, that they should set aside additional performance bond equal to the cost of putting the stone wall, fence as additional surity. I believe the performance bond was for \$79,000.

ENDORSEMENT OF FINAL PLAN: 20 CEDAR STREET/4 POPLAR STREET MAP 40, LOTS 208 AND 209

Motion was made by Lars Johannessen to approve. Motion was seconded by Scott Mandeville. AIF.

PROJECT OWNERSHIP TRANSFER LETTER, 284 ELM STREET SHAILESH PATEL, MGR. OF AMESBURY HOSPITALITY LLC

Nipun Jain: Relative to the hotel project, one of the conditions of approval by the board was that, if the proponent, which was True Homestead Partnership at the time of approval, that ownership changes, and the proposed hotel is not going to be developed by another developer. We received a letter indicating the hotel will now be developed by Archco Realty.

Motion was made by Robert Laplante to approve. Motion was seconded by Karen Solstad. AIF.

BILLS:

1. HORSLEY-WITTEN GROUP – EASTERN LIGHTS SUBDIVISION, \$152.00
(SUFFICIENT FUNDS)
2. HORSLEY-WITTEN GROUP – CUMBERLAND FARMS, \$2,400.00
(SUFFICIENT FUNDS)

Motion was made by Lars Johannessen on both Horsley-Witten items to pay \$152 for Eastern Lights subdivision and to pay \$2400.00 for Cumberland Farms. Motion was seconded by Robert Laplante. AIF.

MOTION TO ADJOURN WAS MADE BY Lars Johannessen and seconded by Karen Solstad. AIF.

MEETING ADJOURNED AT 10:03 P.M.